



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Paper No. 18

PHILIP S. JOHNSON
JOHNSON & JOHNSON
ONE JOHNSON & JOHNSON PLAZA
NEW BRUNSWICK, NJ 08933-7003

COPY MAILED

MAR 24 2004

In re Application of
Edgren et al.
Application No. 09/721,111
Filed: November 22, 2000
Attorney Docket No. ARC 2702N1

OFFICE OF PETITIONS
ON PETITION

This decision concerns the March 12, 2004 petition under 37 CFR 1.137(b).

The petition is **GRANTED**.

The application became abandoned on October 17, 2003 for failure to timely submit a proper reply to the July 16, 2003 non-final Office Action.

The instant petition encloses an amendment and the \$1,330 petition fee; and states in effect that the entire delay in filing a proper reply to the July 16, 2003 non-final Office Action from the due date until the filing of a grantable §1.137(b) petition was unintentional. The petition is thus granted.

In addition, the petition is accompanied by a Request for Continued Examination (RCE). However, an RCE may only be filed when prosecution in an application is closed,¹ which is not the case here. The RCE is thus improper and has not been entered. The \$770 RCE filing fee charged to Deposit Account No. 10-0750 has been credited to the account.

The application file is being returned to Technology Center 1600 for further examination.

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
Office of Petitions

¹ 37 CFR 1.114(a).